



EXECUTIVE OFFICE OF TECHNOLOGY SERVICES & SECURITY

COMMONWEALTH OF MASSACHUSETTS | 1 ASHBURTON PLACE, 8TH FLOOR, BOSTON, MA 02108

CHARLES D. BAKER
Governor

CURTIS M. WOOD
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KARYN E. POLITO
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April 30, 2022

Frank Pozniak
Executive Director
State 911 Department
151 Campanelli Dr., Suite A
Middleborough, MA 02346

RE: FISCAL YEAR 2022 - COMIRS 3RD QUARTER REPORT
(Reporting Period January 1, 2022 – March 31, 2022)

Dear Director Pozniak,

In accordance with Department of Telecommunication and Cable (hereinafter D.T.C.) Order 18-2 dated June 29, 2018, D.T.C. Order 20-1 dated May 26, 2020, D.T.C. Order 21-3 dated May 26, 2021, and the State 911 Department's Guidance Document as issued to the Executive Office of Technology Services and Security (hereinafter EOTSS) on or about September 9, 2020, I respectfully submit the Fiscal Year 2022 3rd Quarter Report for the Commonwealth's project to modernize, improve and expand its interoperable public safety radio system (hereinafter CoMIRS).

The 3rd Quarter of Fiscal Year 2022 was highlighted by:

- a variety of activities necessary to prepare for TDMA Radio Network Implementation,
- the continued review, analysis, processing and authorization of the *Radio Upgrade Program (RUP)* as a means of acquiring TDMA digital radios for network operable users,
- the continued effort to migrate the Franklin County public safety agencies onto the CoMIRS network,
- the efforts to respond to a public records request filed by L3Harris for certain RFR responses and evaluation documents,
- the sharing of program information with CoMIRS shareholders,
- the continued monitoring and auditing of the CoMIRS budget and expenditures.

THE PARTICIPATION IN THE INITIAL CUSTOMER DESIGN REVIEW (CDR), INCLUDING REFINEMENT OF THE PROJECT'S VARIOUS SCOPES OF WORK (SOW), AND PROOF OF CONCEPT (POC) FOR THE MODERNIZATION CONTRACT (CoMIRS Strategic Plan Roadmap Major Activity 6.2.8, "Prepare for TDMA Radio Network Implementation"):

On November 9, 2021, and on behalf of the Commonwealth of Massachusetts, Secretary Curtis M. Wood executed a maximum obligation contract with Motorola Solutions, Inc. of Chicago, Illinois in the amount of \$97,632,394.00. Of the total value, \$79,155,840.00 was for “fixed price” deliverables and \$18,476,554.00 was for “allowances”. The “fixed price” deliverables, describe the specific tasks to be completed by Motorola Solutions, the milestones for payment and the timeline for delivery. Conversely, the “allowances” are pre-approved, variably priced tasks that Motorola may be required to deliver, subject to written instruction by the Commonwealth. The contract allowances have been grouped into three categories, “civil improvements”, “project implementation activities” and “backhaul improvements”, each with an agreed upon financial cap.

Since the contract “kick-off” meeting of November 29, 2021, the CoMIRS Program Management Office (PMO) and the Motorola Solutions Team (hereinafter jointly referred to as the “project team”) have been meeting virtually, twice a week. These virtual meetings are supplemented with narrower scoped telephone conversations as required by either CoMIRS or Motorola Solutions. During the 3rd Quarter of Fiscal Year 2022, CoMIRS and Motorola Solutions agreed that the value of conventional in-person meetings, with a focused and highly concentrated agenda, out-weigh any present day public health concerns caused by the COVID-19. Accordingly, and in February, the parties implemented a series of a monthly in-person meetings that feature three consecutive meeting days. The first three of these meetings have been dedicated to the examination of lease exhibits, civil and structural analyses, the development of scopes of work and the proof of concept.

Notwithstanding the level of detail contained in both the RFR and the Motorola Solution bid, the project team has dedicated an extensive amount of time this quarter to network and equipment design, scope and the definition of deliverables. As the parties agree to language and incorporate the same into the terms of the contract, the agreed upon clarifications are embedded into the record using an electronic tracking tool managed by the CoMIRS Project Manager.

As part of the initial customer design review, the project team has committed a great deal of resources to the evaluation of lease exhibits and the structural capacities and integrities of the Implementation Stage 1 (IS-1) tower sites. The project team, with assistance from EOTSS legal counsel has been reviewing leases as well as collecting existing tower engineering and mapping data. The IS-1 towers are a mix of privately owned and publicly owned structures, each with its own set of unique needs and offerings. To the extent leases or financial documents must be amended or renegotiated, all Commonwealth procurement regulations are being complied with.

In addition to the lease exhibits and financial documents, the project team has been collecting and analyzing the civil and structural engineering data for each tower site. This data includes specific engineering and mapping information for the towers, tower foundations, the equipment presently installed on those towers and the equipment to be installed as part of the modernization project. There are presently fifty-four IS-1 sites for which the project team has assembled lease exhibits and civil/structural data.

Moreover, and in anticipation of the possibility of supplementing or supplanting the current IS-1 tower site inventory, the project team issued an RFR on March 1, 2022 for additional communication installation rights. This RFR was developed after consultation with both the Operational Services Division and the Division of Capital Asset Management and Maintenance. The RFR is intended to provide the project team additional opportunities beyond the current IS-1 inventory. The RFR was structured as a “Two-Part” solicitation. “Part 1” allows for the creation of contractual relationships between the Commonwealth and qualified communication tower vendors for tower space. “Part 2” allows for actual site-specific agreements subject to negotiation. A bidder’s conference was conducted on March 11, 2022, the final date to file bids was April 8, 2022. A Strategic Sourcing Service Team will meet in the 4th Quarter of Fiscal Year 2022 and evaluate the bid responses.

During the 3rd Quarter of Fiscal Year 2022 the project team executed its first change order. This change order has a \$0 value and modifies the Fixed Price Tasks and Deliverables Table 1 to reflect the new Preliminary and Final Design Review Milestones. This change order also specified the evaluation criteria for the Motorola Solutions' Proof of Concept for the new system.

COMIRS PROGRAM MANAGEMENT OFFICE'S ONGOING REVIEW, ANALYSIS, PROCESSING, AND AUTHORIZATION OF THE *RADIO UPGRADE PROGRAM (RUP)* GRANT AND ASSOCIATED GRANT APPLICATIONS (CoMIRS Strategic Plan Roadmap Major Activity 6.2.7, "Acquire TDMA Digital Radios for Current [Network] Users"):

The last day to file a RUP Grant application was February 25, 2022. The PMO continues to monitor and review grantee expenditures and activity. At final count, the PMO received seventy-nine grant applications from qualified operable users. To date, the PMO has approved \$11.8M in funding for the replacement, programming and installation of 4,587 active, non-compliant radios. An additional 2,053 radios have been approved for the software upgrades necessary to operate on the new digital system.

As the PMO analyzes and reviews *RUP Grant* applications it remains fully committed to the strict application of the requirements and limitations imposed by the State 911 Department and the Massachusetts Department of Telecommunications and Cable. All grant applications are evaluated in accordance with the "Guidelines for Approving Grants under the CoMIRS Radio Upgrade Program", (updated February 26, 2021). Only those radios that are deemed "active service, non-compliant" are eligible for grant replacement or upgrade. A comprehensive discussion regarding grant eligibility and grant awards was included in the Fiscal Year 2022 1st Quarterly Report.

RUP Grant metrics¹ (Program commencement – March 30, 2022):

- 79 *Radio Upgrade Program Grant* applications have been received (One application was filed by the Franklin Regional Council of Governments (FRCOG) on behalf of the 61 operable users in Franklin County. The FRCOG also filed a second application on behalf of the Towns of Greenfield and Montague for the replacement of radio equipment in their dispatch center.),
- 2,531 portable radios have been authorized for replacement,
- 2,056 mobile radios have been authorized for replacement,
- 1,380 portable radios have been authorized for upgrade,
- 673 mobile radios have been authorized for upgrade,
- \$11,803,143.68 in *RUP Grant* funds have been authorized for portable and mobile radio replacement, programming and installation²:
 - 17 ISAs (including amendments) in the amount of \$5,282,562.54.
 - 52 Standard Contracts in the amount of \$6,526,581.14.
 - 9 Grantees received authorization for upgrades only, these Grantees did not receive a Standard Contract Form.
 - 1 Grantee elected to reject their grant before their Standard Contract Form was executed.
- \$2,467,200.00 has been allocated for the cost of those subscriber units approved for upgrade³

¹ Data source is the CoMIRS "RUP Grant Tracker", "Awards Detail" worksheet and "Contracts" worksheet, updated as of March 30, 2022.

² This amount represents the total value of the ISAs and the Standard Contracts that have been issued for the replacement of portable and mobile subscriber units, including programming and installation allowances. The PMO has determined that the Massachusetts State Police and all FRCOG operable users are ineligible for the programming allowances as the Massachusetts State Police radio technicians will perform all MSP and FRCOG programming tasks. Moreover, and excepting several hundred specially approved installations, the State Police will not receive an installation allowance as their radio technicians will perform their installations. It should also be noted that funding for upgrades is not included in this metric, as the cost of upgrades remains subject to final negotiation with the software providers. For the projected cost of upgrades, see FN3.

³ 2,056 subscriber units times the current estimate of \$1,200.00 per upgrade.

- In addition to the \$5.28M that the PMO has transferred in ISA grant funds to Grantees who are also MMARS agencies, the EOTSS finance unit has issued disbursement payments to contract agencies in the amount of \$2,512,411.89. This amount reflects the corrected payments to the Town of Eastham Police and Fire Departments. See the Table below:

Department	Check Amount
Franklin Regional Council of Government- Distribution #1	\$ 1,158,279.99
Falmouth Fire Department	\$ 82,222.25
Hardwick Police Department	\$ 34,185.77
Hyannis Fire Department	\$ 172,850.84
West Barnstable Fire Department	\$ 21,558.22
Comm Fire Department	\$ 150,594.57
Huntington Police Department	\$ 32,544.60
Mashpee Fire & Rescue Department	\$ 91,884.78
New Braintree Police Department	\$ 22,327.44
Petersham Police Department	\$ 10,779.11
Mashpee Police Department	\$ 128,757.13
Chatham Fire and Rescue	\$ 14,895.30
Provincetown Fire Department	\$ 56,163.06
Cotuit Fire Department.	\$ 68,092.80
Eastham Police Department	\$ 70,047.34
Eastham Fire Department	\$ 32,337.33
Rehoboth Police Department	\$ 87,061.47
Chatham Fire and Rescue	\$ 28,919.19
Hyannis Fire Department	\$ 7,800.00
Falmouth Fire Department	\$ 875.30
Hyannis Fire Department	\$ 1,975.00
Chatham Police Department	\$ 40,535.96
COMM Fire Department	\$ 1,725.00
Dennis Fire Department	\$ 99,960.67
Truro Police Department	\$ 11,337.55
West Brookfield Police Department	\$ 21,918.61
Mashpee Fire & Rescue	\$ 6,425.00
East Brookfield Police Department	\$ 18,988.86
North Brookfield Police Department	\$ 29,288.75
Chatham Police Department	\$ 3,925.00
Rehoboth Police Department	\$ 4,155.00
Contract Disbursements issued through March 30, 2022	\$ 2,512,411.89

As originally designed, all RUP Grant equipment was to be received on or before June 30, 2022, and all associated disbursements/expenditures were to be satisfied in Fiscal Year 2022. Based on pandemic and supply chain slowdowns and delivery delays, it is unlikely that all subscriber units will be delivered by June 30th and award extensions will be required. The PMO is working with the subscriber unit manufacturers

and the grantees to ensure that as many subscriber units are delivered by June 30th as possible. Notwithstanding these efforts, it is inevitable that the PMO will have to extend purchasing authorization for a number of grantees into Fiscal Year 2023. Additional information concerning this supply chain issue will be discussed in the 4th Quarter Report.

CONTINUED EFFORT TO MIGRATE FRANKLIN COUNTY PUBLIC SAFETY AGENCIES ONTO THE CoMIRS NETWORK (CoMIRS Strategic Plan Roadmap Major Activity 6.3.1, “Determine Potential Expanded Users of CoMIRS”):

As previously reported, the Franklin Regional Council of Governments (FRCOG) was awarded \$3,008,489.77 in *Radio Upgrade Program (RUP) Grant* funding for the replacement of 843 public safety portable radios and 439 public safety mobile radios. As well, FRCOG received \$58,900.52 in a separate grant award for the purchase of dispatch consoles and associated support equipment for the municipalities of Greenfield and Montague.

In June of 2021, the PMO authorized FRCOG’s first request for disbursement in the amount of \$1.158M. A second disbursement was filed in the 3rd Quarter of Fiscal Year 2022 in the amount of \$1.801M. The PMO continues to examine and validate the second disbursement. The PMO plans to complete the reconciliation of all the related purchase orders, invoices and packing slips within the next several weeks and authorize this disbursement in the 4th Quarter.

The PMO and FRCOG continue to meet monthly to address the governance and operational issues associated with Franklin County’s migration to the CoMIRS network and on a more regular basis to discuss technical issues regarding this transition.

THE CoMIRS PMO CONTINUES TO RESPOND TO A PUBLIC RECORDS REQUEST FILED BY L3HARRIS AS THE UNSUCCESSFUL BIDDER TO THE CoMIRS MODERNIZATION PART 2 REQUEST FOR RESPONSE:

Since the 1st Quarter of Fiscal Year 2022, the PMO has been cooperating with the Office of the General Counsel for EOTSS, in its response to a public records request filed by L3Harris Technologies, Inc. (L3Harris) of Lynchburg, Virginia. This quarter, EOTSS legal counsel provided additional documents that were determined responsive to the L3Harris request. The following is a list of the documents/records provided to date:

1. 2021-11-09 CoMIRS Modernization RFR - Contract Package (BD-21-1060-ITD00-ITD00-55256, PCR-21-00341) - signed.pdf
2. Attachment 1 - CoMIRS Modernization SOW Attachments.docx
3. Attachment 1A - Clarifications to the Commonwealth Terms and Conditions for IT Contracts (11.8.21).docx
4. Attachment 2 - MOU CJIS (11.8.21).docx
5. Attachment 3 - FBI CJIS Security Addendum (11.8.21).docx
6. Attachment A - Additional Terms (11.8.21).docx
7. Attachment B - End User Software License Agreement (11.8.21).docx
8. Attachment C - Maintenance and Support Lifecycle Management Purchase Agreement (11.8.21).docx
9. Attachment D - Service Level Agreement and Agreed Upon System Configuration (11.8.21).docx
10. Attachment E - Nokia End User License Agreement (11.8.21).docx
11. Attachment F - Motorola RFR Exceptions and Assumptions (11.8.21).docx
12. Attachment G - Software Support Policy (11.7.21).docx
13. form_commonwealth-terms-and-conditions-for-information-technology.pdf
14. Motorola Solutions CoMIRS Modernization RFR - Standard Contract Form.docx
15. Motorola Solutions CoMIRS Modernization RFR - Statement of Work.docx

16. CoMIRS Modernization RFR SST Evaluation Guidelines (Bid Opening 2021-04-15).pdf
17. SST Membership.docx
18. Membership Forms -- (1 template form, 15 signed forms, and a final letter of recommendation)
19. 2021-07-15 CoMIRS Modernization Part 2 RFR - SST Recommendation to Secretary Wood (FINAL)
- signed.pdf
20. CoMIRS Modernization RFR Evaluation Workbook - SST Master.xlsx
21. CoMIRS Modernization SST Scoring Workbook -- Combined SST Scores and Comments.docx
22. Costs Calculators.xlsx

These documents were reviewed and redacted upon guidance from the Office of the General Counsel prior to release under this public records request.

THE PMO BEGAN MEETING WITH COMIRS STAKEHOLDERS AS A MEANS TO KEEP THEM INFORMED OF THE PROJECT'S PROGRESS AND IMPLEMENTATION SCHEDULES:

During the 3rd Quarter the PMO met with several of the network's primary stakeholders. An informational exchange was conducted with the Department of Transportation, the Department of Conservation and Recreation, and the Massachusetts Department of Correction. Additional informational sessions will be offered to other operable users as the need and opportunity present.

MONITORING AND AUDITING OF THE PROJECT BUDGET AND EXPENDITURES:

During the 3rd Quarter of Fiscal Year 2022, the PMO, the Director of Finance for the State 911 Department and the Director of Finance for EOTSS have collectively and individually monitored the program's expenditures. Authorized expenditures that were paid during the 3rd Quarter are listed below and were all paid from the Enhanced 911 Trust account. The Enhanced 911 Trust was the exclusive source of funding for these expenditures (see table on next page).

Object Code and Description	Amount
A01	\$ 33,760.00
SALARY	\$ 33,760.00
D09	\$ 9,825.96
FRINGE	\$ 9,825.96
E16	\$ 7,433.77
INDIRECT	\$ 7,433.77
P01	\$ 192,654.44
CENTERVL-OSTRVL-MARS MFD	\$ 1,725.00
TOWN OF CHATHAM	\$ 3,925.00
TOWN OF DENNIS	\$ 99,960.67
TOWN OF EAST BROOKFIELD	\$ 18,988.86
TOWN OF EASTHAM	\$ (7,450.00)
TOWN OF FALMOUTH	\$ 2,380.00
TOWN OF MASHPEE	\$ 6,425.00
TOWN OF NORTH BROOKFIELD	\$ 29,288.75
TOWN OF REHOBOTH	\$ 4,155.00
TOWN OF TRURO	\$ 11,337.55
TOWN OF WEST BROOKFIELD	\$ 21,918.61
U01	\$ 1,746.00
CROCKER COMMUNICATIONS INC	\$ 1,746.00
U05	\$ 41,726.70
MCINNIS CONSULTING SERVICES	\$ 41,726.70
U07	\$ 361,489.19
MOTOROLA SOLUTIONS, INC	\$ 361,489.19
U11	\$ 117,095.18
MISSION CRITICAL PARTNERS LLC	\$ 63,954.68
SWBAILEY CONSULTING LLC	\$ 53,140.50
Grand Total	\$ 765,731.24

In the event there are any questions or if clarification concerning any aspect of this report would be helpful, the PMO would be pleased to assist. Inquiries may be directed to Assistant Secretary Matthew Moran at (617)-626-4400 or email at Matthew.E.Moran@mass.gov.

Respectfully,



Curtis Wood (May 4, 2022 13:17 EDT)

Curtis Wood
Secretary of Technology Services and Security
Commonwealth Chief Information Officer






CoMIRS Modernization Program Quarterly Report (FY22 3rd Q, FINAL)

Final Audit Report

2022-05-04

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